

STATE OF COLORADO

Roy Romer, Governor
Patricia A. Nolan, MD, MPH, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

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Colorado Department
of Public Health
and Environment

January 4, 1995

Mr. Steven W. Slaten
U.S. Department of Energy
Rocky Flats Environmental Technology Site
Building 116
P. O. Box 928
Golden, Colorado 80402-0928

RE: OU-4 Solar Evaporation Ponds, Determination of "Empty" Status

Dear Mr. Slaten,

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the Division) has considered your letter, 94-DOE-12383, dated December 9, 1994 regarding the definition of an empty impoundment.

We agree that no specific criteria exist to define an "empty" status for a surface impoundment; however, application of the criteria for empty containers is inappropriate. Application of the empty container criteria, specifically § 261.7 (b) (1) (iii) (B), could result in a retained weight of sludge in excess of a sensible definition of empty.

Based on prior observations, the Division considers Pond 207A and the 207B Series Ponds to be empty. We will similarly expect the liner of Pond 207C to be visible and identifiable over its full areal extent on the date that EG&G Operations indicates the pond to be empty. We suggest that dated photographs or video footage be taken in the event snowfall occurs prior to an inspection by the Division.

In determining whether the ponds are empty, we shall consider whether DOE has met the intent of emptying the ponds to allow their unrestricted closure. Consequently, neither residual solids, nor precipitation derived liquids, will be inferred as non-attainment of an "empty" status.

Please contact Harlen Ainscough of my staff at 692-3337 if you have any questions.

Sincerely,

Joe Schieffelin, Unit Leader
Rocky Flats Unit
Hazardous Waste Control Program

cc: Daniel S. Miller, AGO
Steve Tarlton, CDH-OE
Martin Hestmark, EPA
Fraser Lockhart, DOE
Steve Keith, EG&G
Andy Ledford, EG&G



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OU 4 SOLAR EVAPORATION PONDS, DETERMI
NATION OF EMP TY STATUS
BOX: DOC:01/04/1995

ADMIN RECORD

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